UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,625	12/11/2003	Valerie M. Bennett	RSW920030295US1	2663

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MARCIA L. DOUBET LAW FIRM
PO BOX 422859
KISSIMMEE, FL 34742

EXAMINER
ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
2443	

NOTIFICATION DATE	DELIVERY MODE
07/31/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mld@mindspring.com

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 May 2009*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1, 3, 4, 6 and 13 – 21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3, 4, 6 and 13 – 21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 3, 4, 6 and 13 – 21 are presented for examination.

Claim Objections

2.   Claim 14 is objected to under 37 CFR 1.75(c), as being of improper dependent form for

failing to further limit the subject matter of a previous claim. Applicant is required to cancel the

claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the

claim(s) in independent form. The limitation of a timer can be interpreted as a calendar that has

the ability to schedule an event, i.e., from the present to the time the event occurs is a type of

timer since it can be interpreted as a count down till the event, hence a timer.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1, 3, 4 and 13 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Sorvari et al., (2004/0043758 hereinafter Sorvari) in view of Currans et al. (6731393

hereinafter Currans).

5.   Referencing claims 1, 20 and 21, as closely interpreted by the Examiner, Sorvari teaches

enabling users to subscribe to content in a computing environment, comprising:

6.   identifying a content access behavior pattern of a user, (e.g., ¶ 0054, 0055, 0059 & 0167-0168);

7.   responsive to the identifying, consulting a mapping to determine a candidate content subscription to be offered to users exhibiting the identified behavior patter, the candidate content subscription indicating at least one portion of content generated by a content source, (e.g., ¶ 0061 – 0067, 0073-0078);

8.   generating a markup language document representing the determined candidate content subscription, (e.g., ¶ 0166 – 0173 & Figures 10 – 11H);

9.   offering, to the user, a subscription to the candidate content subscription using a graphical user interface constructed using the markup language document, (e.g., ¶ 0166 – 0173, 0179-0181 & Figures 9A – 11H);

10.   responsive to acceptance of the offered subscription by the user, storing the markup language document as a trigger associated with the user and the content, (e.g., ¶ 0166 – 0173, 0179-0181 & Figures 9A – 11H); and

11.   subsequently evaluating the content generated by the content source using the trigger, to determine whether any of the at least one portion of the content is considered a match to the trigger and if so, automatically sending each matching portion of the content to the user as the subscription, (e.g., ¶ 0011, 0062, 0086-0088, 0123.). Sorvari teaches the use of calendar information, (e.g., ¶ 0308), but does not specifically teach the subsequently evaluating further comprises scheduling time on an electronic calendar of the user when any of the at least one portion of the content is considered a match to the trigger.

12.   Currans teaches the subsequently evaluating further comprises scheduling time on an electronic calendar of the user when any of the at least one portion of the content is considered a match to the trigger, (e.g., col. 12, line 58 – col. 13, line 52 & Figures 6 - 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Currans with Sorvari because utilizing a user calendar to have information sent to the user enables the user to dictate when they would receive information and not have information sent every time a match is made from the trigger. This would also lessen the amount of network traffic in the system.

13.   Referencing claim 3, as closely interpreted by the Examiner, Sorvari teaches enabling the user to customize the offered subscription from the graphical user interface prior to acceptance of the offered subscription, such that at least one condition is placed on at least one of the at least one portion of the content, (e.g., ¶ 0181 – 0186); and

14.   revising the markup language document to include each of the at least one condition prior to the storing, (e.g., ¶ 0181 – 0186).

15.   Referencing claim 4, as closely interpreted by the Examiner, Sorvari teaches wherein the subsequently evaluated further comprises determining whether each of the at least one condition is considered a match to the trigger and only sending the matching portion of the content if so, (e.g., ¶ 0181 – 0186).

16.   As per claim 13, as closely interpreted by the Examiner, Sorvari teaches the subsequently

evaluated content comprises a then-current version of the content generated by the content

source, (e.g., ¶ 0194 – 0197 et seq.).

17.   As per claim 15, as closely interpreted by the Examiner, Sorvari teaches the subsequently

evaluating is invoked responsive to occurrence of an event, (e.g., ¶ 0194 – 0197 et seq.).

18.   As per claim 16, as closely interpreted by the Examiner, Sorvari teaches the identifying is

performed by an inference engine, (e.g., ¶ 0091).

19.   As per claim 17, as closely interpreted by the Examiner, Sorvari teaches identifying

comprises determining whether the user exhibits any of the plurality of predetermined content

access behavior patterns, (e.g., ¶ 0061 – 0067, 0073-0078).

20.   As per claim 18, as closely interpreted by the Examiner, Sorvari teaches the content is

rendered on a web page and the identifying comprises identifying how the user interacts with the

Web page, (e.g., ¶ 0190).

21.   As per claim 19, as closely interpreted by the Examiner, Sorvari teaches the Web page

lacks a subscription interface for enabling the user to subscribe to the rendered content, (e.g., ¶

0055, Sorvari teaches displaying a normal web page that does not contain a type of subscription

interface which if one were to take a subscription interface away from a web page then it would

be a normal web page from a provider not altered by the invention.).

22.   As closely interpreted by the Examiner, claim 14 is rejected for similar reasons as claim 6

since it can be interpreted that the calendar could be considered a timer of sorts and therefore the

motivation also applies.

Response to Arguments

23.   Applicant's arguments with respect to claims 1, 3, 4, 6 and 13 – 21 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DAVID E. ENGLAND whose telephone number is (571)272-

3912. The examiner can normally be reached on Mon-Thur, 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                                          David E. England
                                                          Primary Examiner
                                                          Art Unit 2443

/David E. England/
Primary Examiner, Art Unit 2443